

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL No. 05-30042 MLW

UNITED STATES OF AMERICA,)	
)	
v.)	DEFENDANT'S EX PARTE MOTION
)	FOR FUNDS FOR
CESAR CRUZ,)	HOTEL ACCOMMODATIONS
Defendant)	

DEFENDANT'S EX PARTE MOTION FOR FUNDS
FOR HOTEL ACCOMMODATIONS

Now comes the defendant, Cesar Cruz, and moves by and through his attorney that the court authorize payment for a hotel room for his attorney, through the court, for a period beginning from the evening of April 30th until March 4, 2006.

The defendant states as his grounds for this request the following:

1. The defendants in this case were originally arraigned in the United States District Court for the District of Massachusetts, Western Division, in Springfield. Counsel with practices located in the Greater Springfield area were assigned pursuant to the Criminal Justice Act.
2. Trial of this matter is scheduled to commence on May 1, 2006 and is expected to last three to four days.
3. Travel to and from Boston each day during the trial of this matter would consume a total of three to four hours per attorney, depending on traffic conditions. At Criminal Justice Act rates, this would cost the federal government far more than the cost of modest hotel accommodations in a location convenient to the Boston court.

3. Daily travel to and from Boston would be burdensome to defense counsel, would impair counsel's ability to prepare for court each day, and could disrupt the court's schedule in the event of travel difficulties.
4. Upon inquiry, counsel have been informed that prior approval of the instant motion will make it possible for court personnel to arrange hotel rooms for the attorneys in this case at reduced government rates.
5. A separate motion for a hotel room for the attorney for the co-defendant in this case, Ricardo Diaz, will be filed, and it is requested that a room be booked for that attorney in the same hotel.

Wherefore, the defendant respectfully requests that the above relief be granted.

DATED: April 20, 2006

Respectfully submitted,
Cesar Cruz

/s/ Joseph A. Franco, Esq.
By His Attorney
Joseph A. Franco, Esq.
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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL No. 05-30042 MLW

UNITED STATES OF AMERICA,)	AFFIDAVIT IN SUPPORT OF
)	DEFENDANT'S MOTION
v.)	FOR FUNDS FOR
)	HOTEL ACCOMMODATIONS
CESAR CRUZ,)	
Defendant)	

Now comes Joseph A. Franco and states that he has personal knowledge of the facts contained herein and makes oath that they are true.

1. I am a member of the bar of the Commonwealth of Massachusetts, and the of the District of Massachusetts, and I am counsel of record in the above-captioned matter. My practice is located in West Springfield, Massachusetts.
2. I have been appointed to represent Cesar Cruz pursuant to the Criminal Justice Act (CJA) because the defendant has been found to be indigent.
3. The funds requested in the forgoing motion are reasonably in order to enable me to provide the defendant with the same level of representation which he would receive if he had adequate funds to privately retain an attorney.

Signed under the pains and penalties of perjury this 20th day of April, 2006.

/s/ Joseph A. Franco, Esq.
Joseph A. Franco, Esq.